

They will be protected in the enjoyment of their liberty, property and religion.

In testimony whereof I have caused the seal of the United States to be hereunto affixed and signed the same with my hand. Done at the City of (L. S.) Washington the twenty-seventh day of Oct. A. D. 1810, and in the thirty-fifth year of the independence of the said U. S.

(Signed) JAMES MADISON.

By the President, R. SMITH, Secretary of State.

Extract of a letter from Governor Holmes of the Mississippi Territory, to the Secretary of State, dated

OCTOBER 17th, 1810.

"The enclosed letter I have been requested to transmit to you."

To the Hon. Robert Smith, Secretary of State for the United States.

SIR,

The convention of the state of Florida have already transmitted an official copy of their act of independence, through his Excellency Governor Holmes, to the President of the United States, accompanied with the expression of their hope and desire, that this commonwealth may be immediately acknowledged and protected, by the government of the United States, as an integral part of the American Union. On a subject so interesting to the community represented by us, it is necessary that we should have the most direct and unequivocal assurances of the views and wishes of the American government without delay, since our weak and unprotected situation will oblige us to look to some foreign government for support, should it be refused to us, by the country which we have considered as our parent state.

We therefore make this direct appeal through you, to the President & General Government of the American States, to solicit that immediate protection, to which we consider ourselves entitled; and to obtain a speedy and favorable decision, we offer the following considerations:—1st. The government of the United States, in their instructions to the envoys extraordinary at Paris, in March, 1806, authorized the purchase of East Florida, directing them at the same time to engage France to intercede with the cabinet of Spain to relinquish any claim to the territory which now forms this commonwealth. 2d. In all diplomatic correspondence with American ministers abroad, the government of the United States have spoken of West Florida as a part of the Louisiana cession. They have legislated for the country as a part of their own territory, and have deferred to take possession of it, in expectation that Spain might be induced to relinquish her claim by amicable negotiation. 3d. The American government has already refused to accredit any minister from the Spanish Junta, which body was certainly more legally organized, as the representative of the sovereignty than that now called the regency of Spain; therefore the United States cannot but regard any force or authority emanating from them with an intention to subjugate us, as they would an invasion of their territory by a foreign enemy. 4th. The emperor of France has invited the Spanish Americans to declare their independence rather than remain in subjection to the old Spanish government; therefore an acknowledgment of our independence by the United States could not be complained of by France, or involve the American government in any contest with that power. 5th. Neither can it afford any just cause of complaint to Great Britain, although she be the ally of Spain, that the United States should acknowledge and support our independence; as this measure was necessary to save the country from falling into the hands of the French exiles from the Island of Cuba, and other partisans of Bonaparte, who are the eternal enemies of Great Britain.

Should the United States be induced, by those or any other considerations, to acknowledge our claim to their protection, as an integral part of their territory, or otherwise, we feel it our duty to claim for our constituents an immediate admission into the union as an independent State, or as a territory of the United States, with permission to establish our own form of government or to be united with one of the neighboring territories, or a part of one of them in such manner as to form a state. Should it be thought proper to annex us to one of the neighboring territories, or a part of one of them, the inhabitants of this commonwealth would prefer being annexed to the Island of Orleans, and in the mean while, until a state government should be established, that they

should be governed by the ordinances already enacted by this Convention, and by their further regulations hereafter.

The claim which we have to the soil, or unlocated lands, within this commonwealth, will not, it is presumed, be contested by the United States, as they have tacitly acquiesced in the claim of France or Spain for seven years, and the restrictions of the several embargo and non-intercourse laws might fairly be construed, if not as a relinquishment of their claim; yet at least sufficient to entitle the people of this commonwealth (who have wrested the government and country from Spain, at the risk of their lives and fortunes) to all the unlocated lands. It will strike the American government that the monies arising from the sales of these lands, applied as they will be, to improving the internal communications of the country, opening canals, &c. &c. will in fact be adding to the prosperity and strength of the federal union.

To fulfil with good faith our promises & engagements to the inhabitants of this country, it will be our duty to stipulate for an unqualified pardon for all deserters now residing within this commonwealth, together with an exemption from further service in the army or navy of the United States.

A loan of \$100,000 dollars is solicited of the American government, to be repaid in 3, 6 & 9 years from the sales of public lands. This loan may be made by the Secretary of the Treasury immediately, without committing the government or making it known to foreign Ministers at Washington.

In order not to embarrass the cabinet of the U. States, and to receive first, through their own confidential agents, their wishes and views with respect to us, it is deemed prudent to defer the departure of our envoy, already named, who will be dispatched immediately on receiving information that such a measure will meet the approbation of the United States.

We pray you to accept the assurances of our respect and high consideration.

By Order of the Convention, Signed JOHN RHEA, President. Baton Rouge, Oct. 10, 1810.

THE CONVENTION OF FLORIDA. To his Excellency the Governor of the Mississippi Territory.

SIR—We, the Delegates of the people of this state, have the honor to enclose to you an official copy of their act of independence, requesting that it may be forthwith transmitted by you to the President of the United States, with the expression of their most confident and ardent hope, that it may accord with the policy of the government, as it does with the safety and happiness of the people of the United States, to take the present government and people of this state under their immediate and special protection, as an integral and inalienable portion of the United States.

The Convention and their constituents of Florida, rest in the firm persuasion, that the blood which flows in their veins will remind the government and the people of the United States, that they are their children, that they have been acknowledged as such, by the most solemn acts of the Congress of the United States; and, that so long as independence and the rights of man shall be maintained and cherished by the American union, the good people of this state cannot, nor will not, be abandoned or exposed to the invasion, violence or force of any foreign or domestic foe.

The Convention beg you to receive for yourself, sir, and to assure the President of their high respect and consideration.

By Order of the Convention, Signed JOHN RHEA, President. Baton Rouge, Sept. 20, 1810.

BY THE REPRESENTATIVES OF THE PEOPLE OF WEST FLORIDA IN CONVENTION ASSEMBLED, A DECLARATION.

IT is known to the world with how much fidelity the good people of this territory have professed and maintained allegiance to their legitimate sovereign, while any hope remained of receiving from him protection for their property and lives.

Without making any unnecessary innovation in the established principles of the government, we had voluntarily adopted certain regulations in conformity with our First Magistrate for the express purpose of preserving this territory, and showing our attachment to the government which had heretofore protected us. This compact, which was entered into with good faith on our part, will forever remain an honorable

testimony of our upright intentions and inviolable fidelity to our king & parent country, while so much as a shadow of legitimate authority remained to be exercised over us. We sought only a speedy remedy for such evils as seemed to endanger our existence and prosperity; and were encouraged by our Governor with solemn promises of assistance and co-operation. But those measures which were intended for our preservation he has endeavored to pervert into an engine of destruction, by encouraging, in the most perfidious manner, the violation of ordinances, sanctioned and established by himself as the law of the land.

Being thus left without any hope of protection from the mother country—betrayed by a magistrate whose duty it was to have provided for the safety and tranquillity of the people and government committed to his charge, and exposed to all the evils of a state of anarchy, which we have so long endeavored to avert, it becomes our duty to provide for our own security as a free and independent state, absolved from all allegiance to a government which no longer protects us.

We, therefore, the representatives aforesaid, appealing to the Supreme ruler of the world for the rectitude of our intentions, do solemnly publish and declare the several districts composing this territory of West Florida to be a free and independent state—and that they have a right to institute for themselves such form of government as they may think conducive to their safety and happiness.—To form treaties.—To establish commerce.—To provide for their common defence.—and do all acts which may of right be done by a sovereign and independent nation. At the same time declaring all acts within the said territory of West Florida, after this date, by any tribunal or authorities not deriving their powers from the people agreeably to the provisions established by this convention, to be null and void—and calling upon all foreign nations to respect this our declaration, acknowledging our independence, and giving us such aid as may be consistent with the laws and usages of nations.

This declaration made in convention at the town of Baton Rouge, on the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and ten. We the representatives, in the name aforesaid, and on behalf of our constituents, do hereby solemnly pledge ourselves to support with our lives and fortunes.

By order of the Convention, Signed JOHN RHEA, President. AND STEELE, Sec'y.

Mr. Smith to Governor Holmes.

Department of State, November 15th, 1810.

SIR,

I have received your letter of the 17th of Oct. enclosing the memorial of the Convention of West Florida. To repress the unreasonable expectations therein indicated, in relation to the vacant land in that Territory, it is deemed proper to lose no time in communicating to you and to Governor Claiborne the sentiments of the President on the subject.

The right of the United States to the Territory of West Florida, as far as the River Perdido, was fairly acquired by purchase, and has been formally ratified by Treaty. The delivery of possession has, indeed, been deferred, and the procrastination has been heretofore acquiesced in by this government from a hope, patiently indulged, that amicable negotiation would accomplish the equitable purpose of the United States. But this delay, which proceeded only from the forbearance of the United States to enforce a legitimate and well known claim, could not impair the legality of their title, nor could any change in the internal state of things, without their sanction, however brot about, vary their right. It remains, of course, as perfect as it was before the interposition of the Convention. And the people of West Florida must not for a moment be misled by the expectation that the United States will surrender for their exclusive benefit what had been purchased with the treasure and for the benefit of the whole. The vacant land of this Territory, thrown into common stock with all the other vacant land of the Union, will be a property in common for the national uses of all the people of the United States. The community of interest upon which this government invariably acts, the liberal policy which it has uniformly displayed towards the people of the Territories (a part of which policy has ever been a just regard to honest settlers) will, nevertheless, be a sufficient pledge to the inhabitants of West Florida, for the early and continued attention of the Federal Legislature to their situation and their wants.

These observations will apprise you, sir, of the sentiments of the President, as to the propositions in the memorial in relation to the vacant land in West Florida, and will enable you to make, when necessary & proper, suitable explanations to the people of that Territory. You will, however, keep in mind that the President cannot recognize in the Convention of West Florida any independent authority whatever to propose or to form a compact with the U. States. I am, sir, with the highest respect, your most obedient servant.

Signed R. SMITH, His Excellency David Holmes, Governor Mississippi.

New-York, Nov. 29. FROM LISBON.

Arrived this forenoon the ship Mount Hope, Breese, in 30 days from Lisbon, with Spanish wool and 600 Merino Sheep. The Mount Hope, had 1600 on board when she sailed, but lost 100 on the passage. From Gen. Derby, passenger, and owner of said ship, we have received the following:—

We left the Tagus on the 27th of October, the accounts being from the city of Lisbon to the evening of the 26th, at which time, all the shipping, strangers as well as Portuguese were under an embargo, and ordered to reserve a fourth part of their vessels for the accommodation of passengers and effects, the freight and passage money to be paid by government, as they were in expectation of a battle that would decide the fate of Portugal. The embargo had been on from the 7th of Oct. Gen. Derby obtained permission for the ship Mount Hope, to sail on condition of her taking 15 passengers to the Western Is. and Lord Wellington, after the battle of the 20th Sept. on the heights near Coimbra, thought proper to retreat on his inner lines, in order to be prepared for the defence of Lisbon. On his quitting Coimbra and Figuera, all the army stores that could not be removed were destroyed, and the inhabitants ordered to destroy such provisions as could not be carried away, and to drive off their cattle. This retreat was effected but with very little loss. In a few days the French had advanced and took their situation in front of the British lines, occupying Villa Franca on the Tagus, from thence to the sea, about seventeen miles. The English line is from Alverca, Sobrad Runa &c. to the sea, holding a communication with Eniche, a Presquile that is made very strong as is also the whole British line of defence. During the retreat from Coimbra, the French Gen. Simon, with his Aid, were taken prisoners by the British Horse, they being out-reconnoiring. The British gun boats, annoyed the French at Villa Franca. A shot from one of them had taken off the head of a French Gen. while reconnoiring. Nothing of importance had occurred in the lines since the arrival of the French though it was said that Gen. Massena had promised his soldiers three days' plunder, should he succeed in getting into Lisbon. At the battle of Coimbra, the French had made an attack with nineteen thousand men on the left of the British, being principally Portuguese troops with British officers, and only ten British regiments; but they were repulsed with heavy loss. The English estimate their loss with the Portuguese to be about 2000, that of the French 3000 in killed, wounded and prisoners. After the French got possession of Coimbra, they made it a deposit for their sick and wounded, &c. Colonel Frant, taking advantage of this circumstance, and having the command of 20,000 men principally militia, in the neighbourhood of Oporto, advanced rapidly and regained possession of Coimbra and Figuera, making prisoners about 5000 Frenchmen who were sent to Lisbon; a part of them had arrived at Lisbon and were embarking for England; Colonel Frant then took measures to obstruct the retreat of the French as far as he could. It was also stated that the bodies of militia were in the rear of the French. The transports had all their sails bent, & some inquietude existed in the city lest the French might cross the river at Abrantes, and come down on the opposite side and annoy the shipping. Just before leaving Lisbon, information was received that the patriots in Spain had re-captured Seville, with four regiments belonging to the French, two of them Spanish, enlisted under Joseph Bonaparte. The Cortes had also forbid the son of the Duke of Orleans assuming any command, and had ordered him to quit Spain immediately.

New-York, Dec. 3.

A London paper of Oct. 15th, contains the following article:

"Lucien Bonaparte is, we understand, to be allowed to continue his voyage to America, and that orders have been sent from the Admiralty to afford him the necessary conveyance thither."

It is understood that Lucien takes passage in the ship Hercules, West, of Salem, and intends to proceed to Philadelphia, where his arrival may be daily expected.

On Thursday, 22d ult. arrived at Portland, br. Jason, Capt. Moore, in 26 days from Liverpool. London papers to the 24th of October have been received, but they furnish little information of importance. The accounts from Portugal are not so late as those direct from Lisbon. The English have taken the island of Bourbon belonging to France, and at the last dates were preparing to take the island of France. A sanguinary war is still carried on in different parts of Spain, between the patriots and French. A desperate action was lately fought near Grenada, between Sebastian and Blake, in which the former lost an arm, and the Spaniards remained masters of the field; at Tortosa there have been two engagements, in which the French were defeated with the loss of 1000 men.

Congress IN SENATE.

TUESDAY, December 4.

Mr Condit was stated in our last to have appeared on Monday—it should have been Mr Crawford.

Messrs. Mathewson, Read and Lambert attended.

Messrs. Smith & Gilman were appointed a committee jointly with the committee of the House of Representatives to wait on the President of the United States and inform him that Congress was ready to receive any communication he might have to make.

After adopting the usual rules respecting newspapers, &c.

Mr Smith reported that the committee appointed to wait on the President of the United States had received for answer from him, that he would make a communication to Congress to-morrow at 12 o'clock.

Mr Smith of Md. gave notice that on to-morrow he should ask leave to bring in a bill further to suspend in part the act, entitled "An act regulating foreign coins, and for other purposes."

DECEMBER 5.

Mr. Pickering and Mr. Bradley attended.

The message of the President and documents accompanying the same were read, and five hundred copies ordered to be printed.

Agreeably to notice, and leave being obtained, Mr Smith, of Md. introduced the following bill:

A bill further to suspend in part the act entitled "An act regulating foreign coins, and for other purposes."

BE it enacted, &c. That so much of the act entitled "An act for regulating foreign coins, and for other purposes," as is contained within the second section thereof, and the same is hereby suspended for and during the space of three years from and after the end of the present session of Congress.

The bill was read a first time and passed to a second reading.

HOUSE OF REPRESENTATIVES.

TUESDAY, December 4.

The House met at the usual hour. On reading over the Journal of the preceding day, it appeared that Messrs. Matthews and Van Dyke, whom we stated in our last to have been present had not attended.

Messrs. Burwell and Huntingdon, who attended yesterday, were omitted in our last.

The following members, in addition to those mentioned in our last, took their seats:—

Messrs. Bassett, Cutts, Eppes, Gold, Jenkins, Mitchell, Seaver and Potter. Messrs. Poydras and Jennings, Territorial delegates, also appeared.

A message was received from the Senate, about one o'clock, by Mr Otis, their Secretary, stating that a quorum of that body had appeared, and were ready to proceed to business.

Another message was subsequently received from the Senate, that they had appointed a committee, jointly with the committee appointed by the House, to wait on the President of the U. States, and inform him that they were ready to receive any communications he might have to make.

Mr Dawson, from the committee appointed to wait on the President of the U. States, &c. reported that the committee had performed the duty assigned them, and had received for answer, the President would make a communication to Congress on to-morrow at 12 o'clock.

DECEMBER 5.

Messrs. Sage, Taggart, W. Chambers, En, J. C. Chamberlin, Wheaton, Quincy, Blaisdell, Mathews, Surges and Chittenden appeared this day.

At twelve o'clock the Message was received from the President of the United States. [For which see extra Argus of Friday last.]

The message was read, and the house were occupied with reading the documents until four o'clock; when an adjournment took place without having gone through them.

The documents accompanying the message are very voluminous, comprising, besides those given in this paper, much detailed correspondence between the Depart-